

# Public Notice of Application for Permit

Regulatory Branch
Post Office Box 3755
Seattle, Washington 98124-3755
Telephone (206) 764-3495

ATTN: Suzanne Skadowski, Project Manager

Public Notice Date: January 03, 2006 Expiration Date: February 03, 2006

Reference: 200501127

Name: Wards Cove Packing Company

Interested parties are hereby notified that an application has been received for a Department of the Army permit in accordance with Section 404 of the Clean Water Act and Section 10 of the 1899 Rivers and Harbors Act, for certain work described below and shown on the enclosed drawings.

APPLICANT: Wards Cove Packing Company

Post Office Box 5030

Seattle Washington 98105-0030

ATTN: William Weisfield Telephone: (206) 323-3200

AGENT: Layton & Sell, Inc.

12515 Willows Road Northeast, Suite 205

Kirkland Washington 98034-8795

ATTN: Jeffrey Layton Telephone: (425) 825-1735

LOCATION: In Lake Union, at 88 East Hamlin Street, at Seattle, Washington

<u>WORK</u>: Demolish all or part of the existing timber wharf, piers, over-water buildings, and upland buildings. Construct a new 9,010 square-foot marina and a new 16,657 square-foot, twelve-unit floating home facility.

MITIGATION: The project shoreline will be enhanced with fish mix gravels and native plants.

<u>PURPOSE</u>: The purpose of the proposed work is to provide private boat moorage for watercraft and private moorage for floating homes.

ENDANGERED SPECIES: Section 7 of the Endangered Species Act requires federal agencies to consult with the National Marine Fisheries Service (NMFS) and U.S. Fish and Wildlife Service on all actions that may affect a listed threatened or endangered species or any designated critical habitat. The Puget Sound Chinook (Oncorhynchus tshawytscha), coastal-Puget Sound bull trout (Salvelinus confluentus), and bald eagle (Haliaeetus leucocephalus), listed threatened in Washington state, occur in the project area. For Chinook and bull trout, critical habitat has been designated. After receipt of comments from this public notice, the U.S. Army Corps of Engineers (Corps) will evaluate the potential impacts to these species.

ESSENTIAL FISH HABITAT: The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, requires Federal agencies to consult with the NMFS on all actions undertaken by the agency that may adversely affect Essential Fish Habitat (EFH). The proposed project would impact EFH for Pacific salmon. If the Corps determines that the proposed action may adversely affect EFH, the Corps will initiate consultation with the NMFS.

<u>CULTURAL RESOURCES</u>: The District Engineer has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible and other sources of information. There are

no recorded historic properties within the permit area. The permit area has been so extensively modified by modern development that little likelihood exists for the proposed project to impinge upon an undisturbed historic property. The District Engineer invites responses to this public notice from Native American Nations or tribal governments; Federal, State, and local agencies; historical and archeological societies; and other parties likely to have knowledge of or concerns with historic properties in the area. This public notice initiates consultation under Section 106 of the National Historic Preservation Act (36 CFR 800.4[a][3]), with any Tribe that has information or concerns with historic properties in the proposed permit area.

<u>EVALUATION</u>: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, general environmental concerns, historic properties, fish and wildlife values, navigation, shoreline erosion and accretion, water quality, energy needs, safety, considerations of property ownership, and, in general, the needs and welfare of the people.

The U.S. Army Corps of Engineers is soliciting comments from the public; Native American Nations or tribal governments; Federal, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for the work. To make this decision, comments are used to assess impacts the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

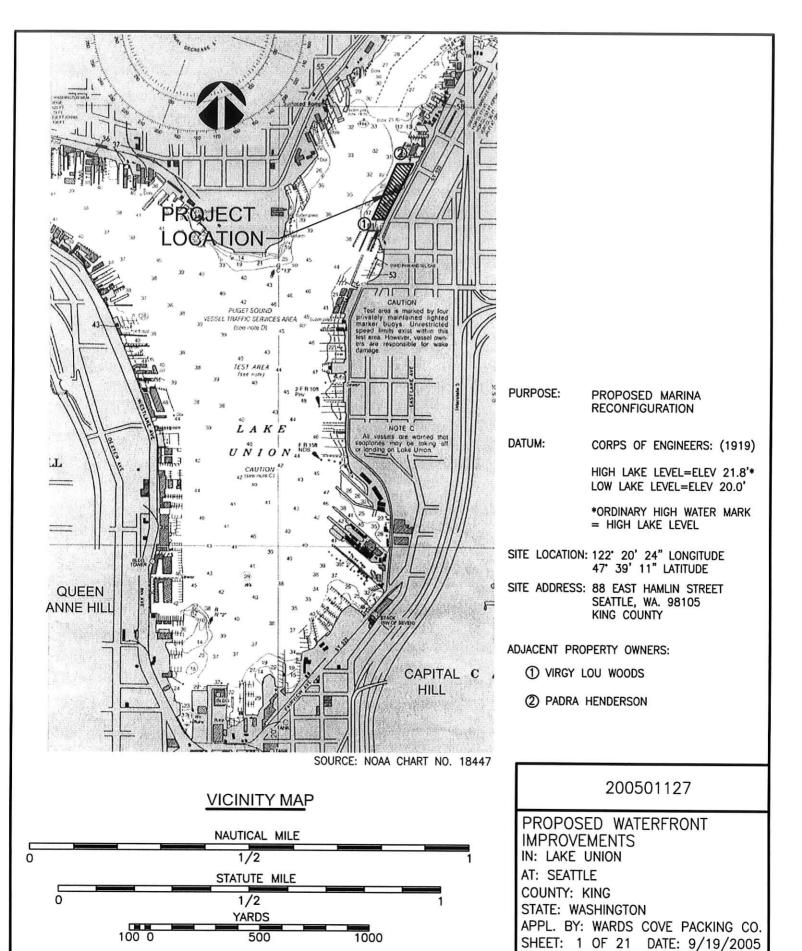
The proposed discharge will be evaluated for compliance with guidelines promulgated by the Environmental Protection Agency under authority of Section 404(b)(1) of the Clean Water Act. These guidelines require an alternatives analysis for any proposed discharge of dredged or fill material into waters of the United States.

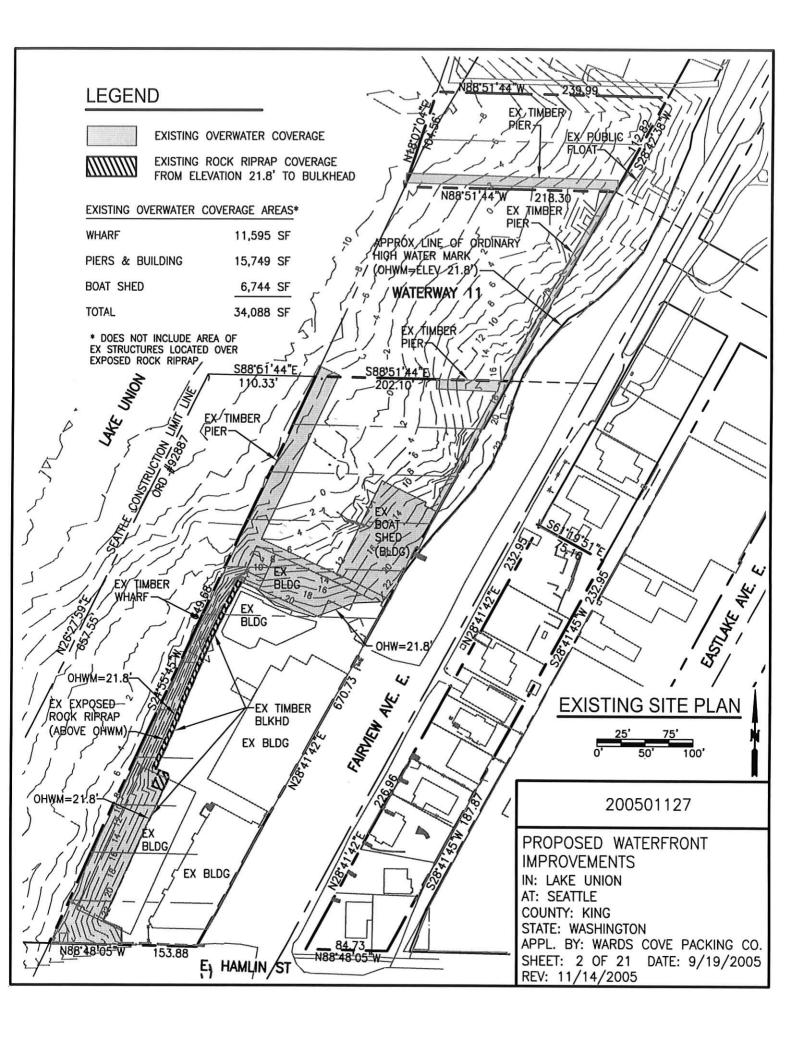
<u>ADDITIONAL EVALUATION</u>: The State of Washington Department of Ecology is reviewing this work for consistency with the approved Washington Coastal Zone Management Program and for compliance with the applicable State and Federal water quality standards pursuant to Section 401 of the Clean Water Act.

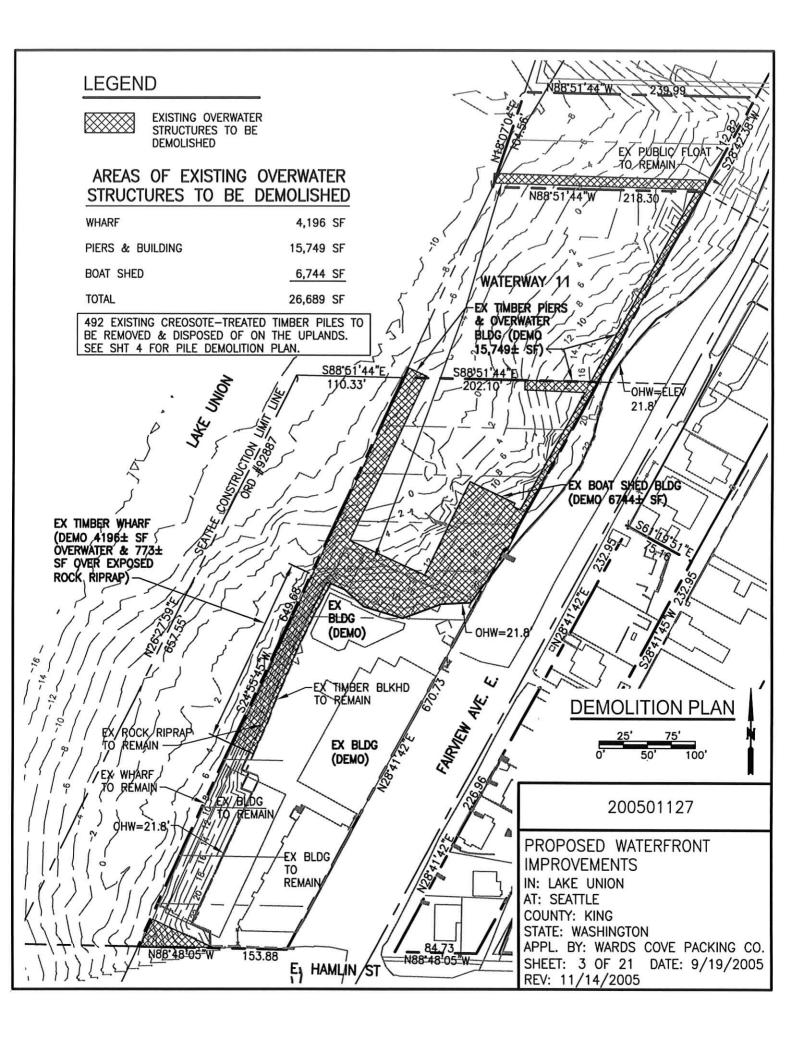
This proposal is the subject of a City of Seattle Shorelines Development Permit application number 3003444.

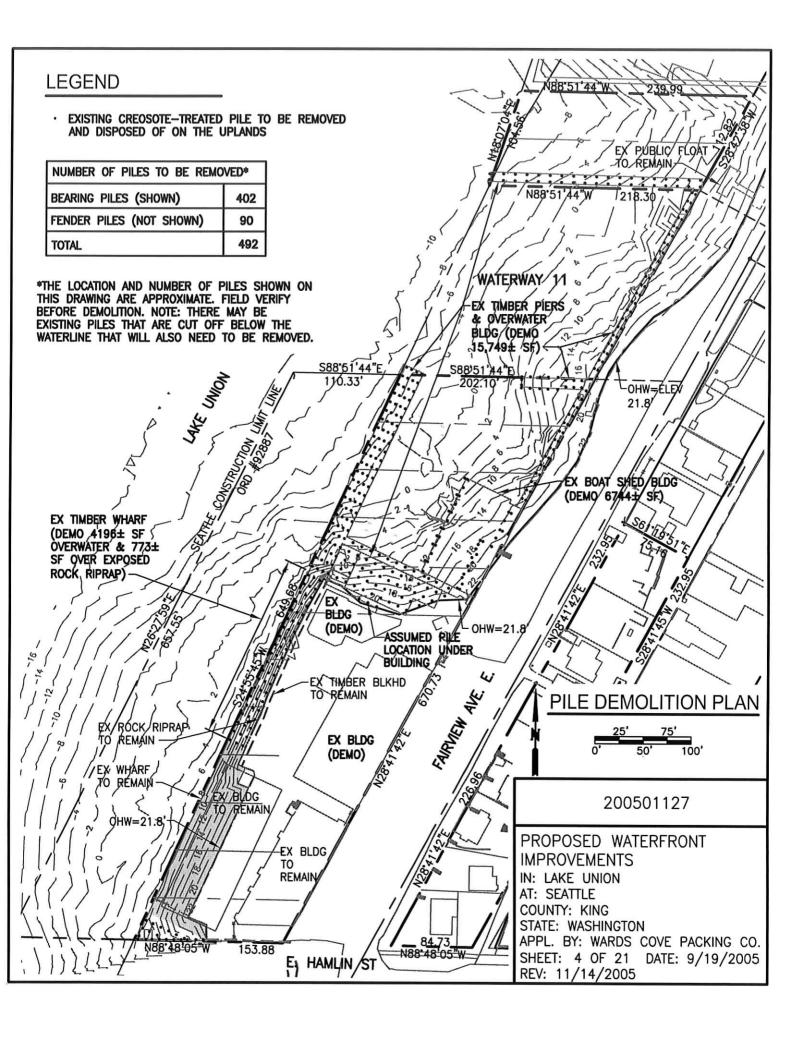
COMMENT AND REVIEW PERIOD: Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from the author's e-mail account and include in the subject line the permit applicant's name and reference number as shown above. E-mail comments should be sent to: Kathleen.S.Kunz@usace.army.mil. Conventional mail comments should be sent to: U.S. Army Corps of Engineers, Regulatory Branch, Post Office Box 3755, Seattle, Washington 98124-3755. All comments must include the permit applicant's name and reference number shown below, and the commentor's name, address, and phone number. All comments must reach this office, no later than the expiration date of this public notice to ensure consideration.

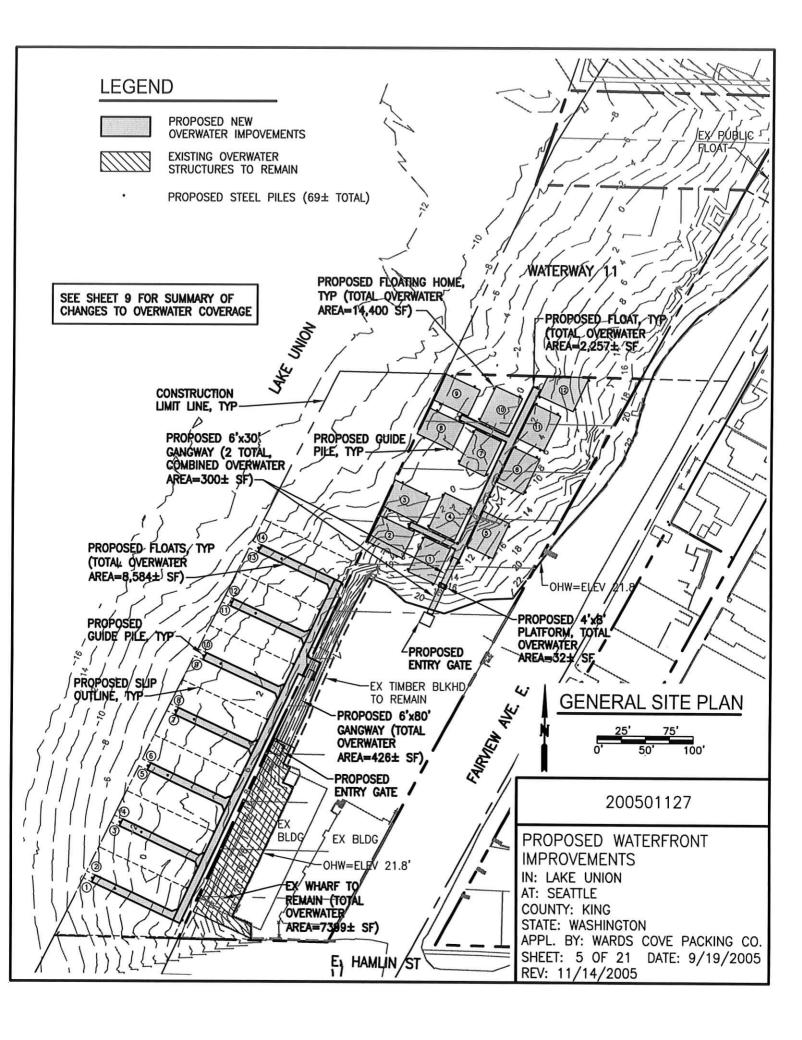
Encl Drawings (21)

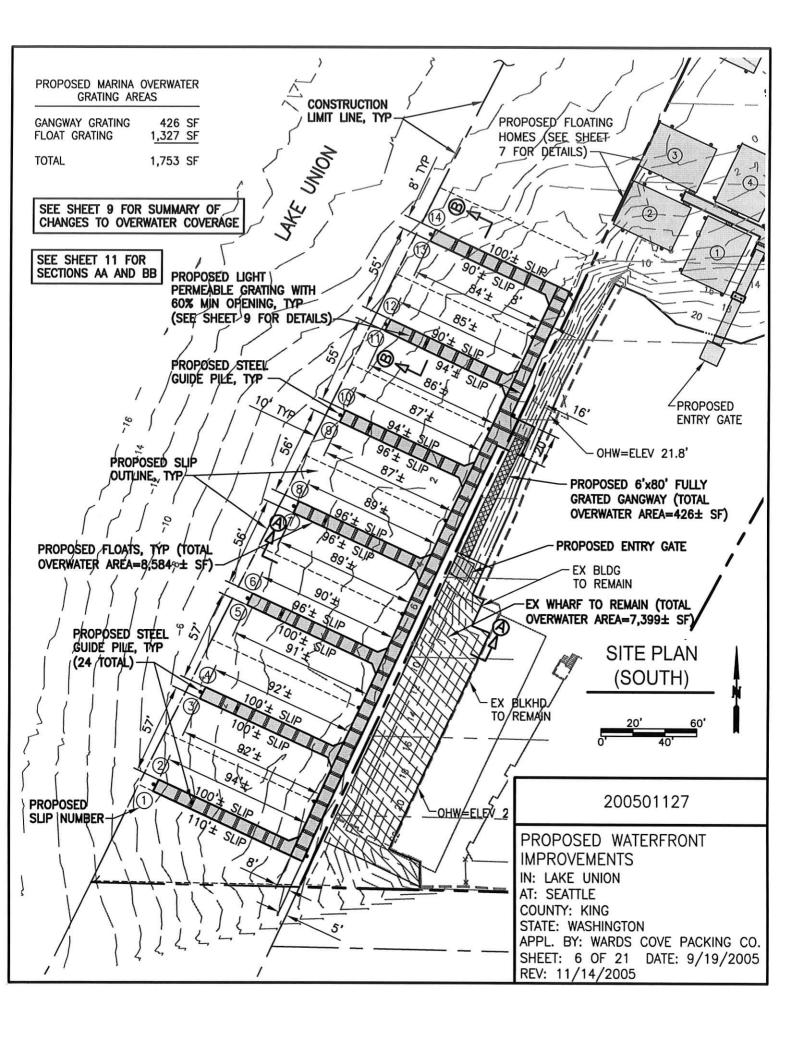


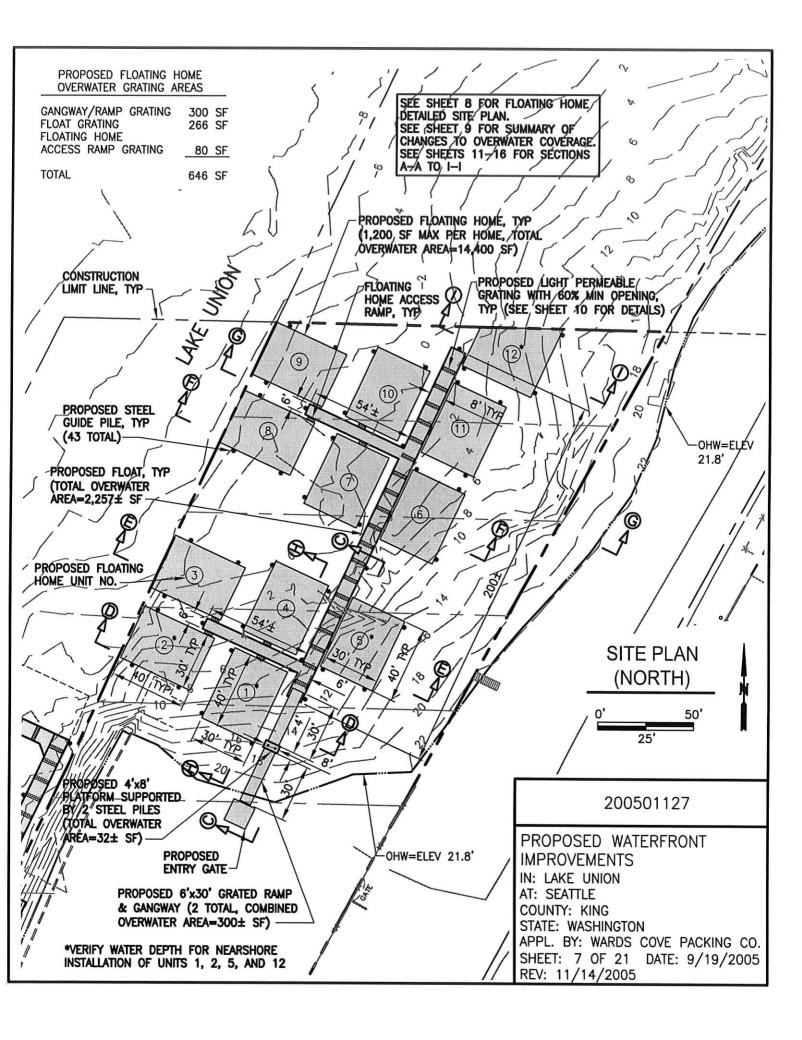


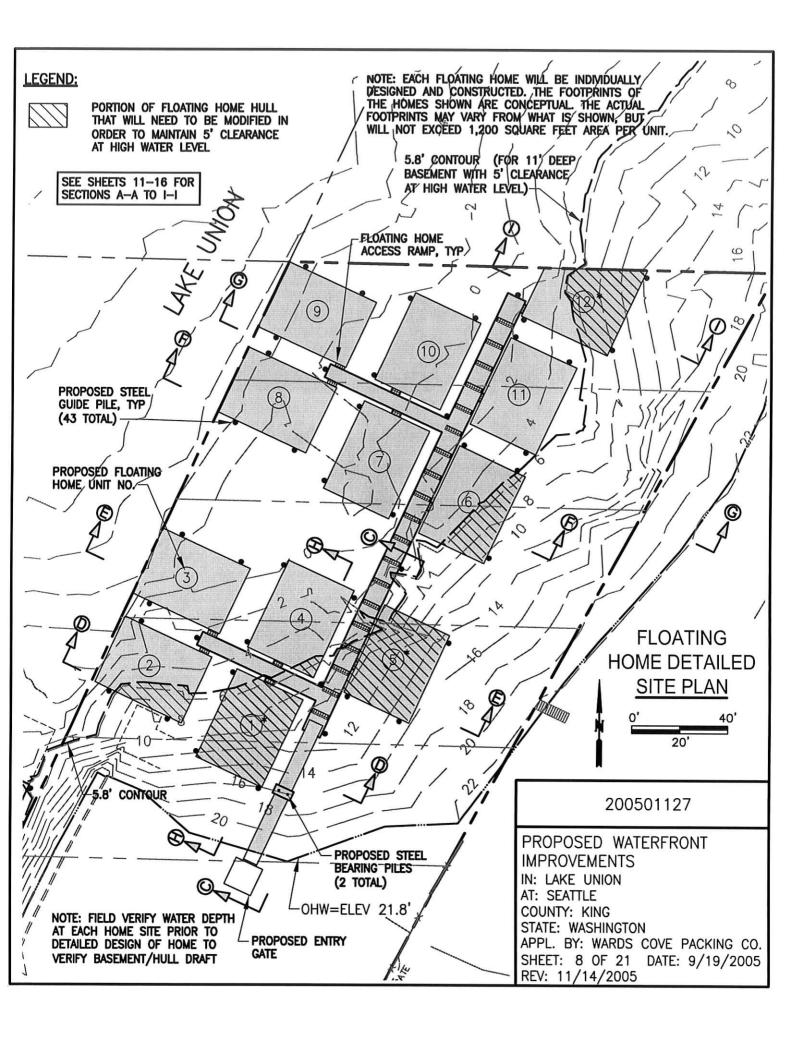












# WARDS COVE WATERFRONT IMPROVEMENTS SUMMARY OF CHANGES TO OVERWATER COVERAGE:

STRUCTURE	EXISTING	PROPOSED
	(SQUARE FEET)	(SQUARE FEET)
WHARF	11,595	7,399
FIXED PIERS & OVERWATER BLDGS	15,749	32
BOAT SHED	6,744	0
MARINA FLOATS	0	8,584
MARINA GANGWAY	0	426
FLOATING PIER FOR FLOATING HOMES*	0	2,337
FLOATING HOME SHORE ACCESS	0	300
FLOATING HOMES	0	14,400
SUBTOTAL	34,088	33,478
ADJUSTMENTS FOR GRATING:		
MARINA FLOATS	0	-1327
MARINA GANGWAYS	0	-426
FLOATING HOME WALKWAY FLOATS	0	-266
FLOATING HOME GANGWAY SYSTEM	0	-300
FLOATING HOME ACCESS RAMPS	0	-80
SUBTOTAL	0	-2,399
ADJUST FOR 60% LIGHT TRANSMISSION	0	-1,439
TOTAL	34,088	32,039
NET REDUCTION IN OVERWATER COVERAGE	: 2,049	SQUARE FEET

\*INCLUDES INDIVIDUAL GRATED ACCESS RAMPS TO FLOATING HOMES

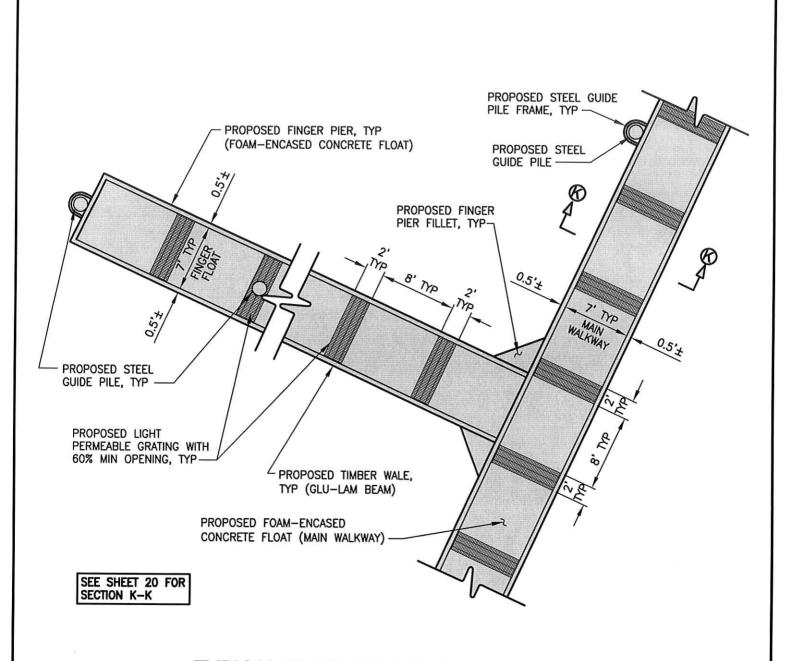
200501127

PROPOSED WATERFRONT IMPROVEMENTS

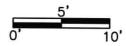
IN: LAKE UNION AT: SEATTLE COUNTY: KING

STATE: WASHINGTON

APPL. BY: WARDS COVE PACKING CO. SHEET: 9 OF 21 DATE: 9/19/2005



### TYPICAL FLOAT GRATING <u>DETAIL PLAN</u>



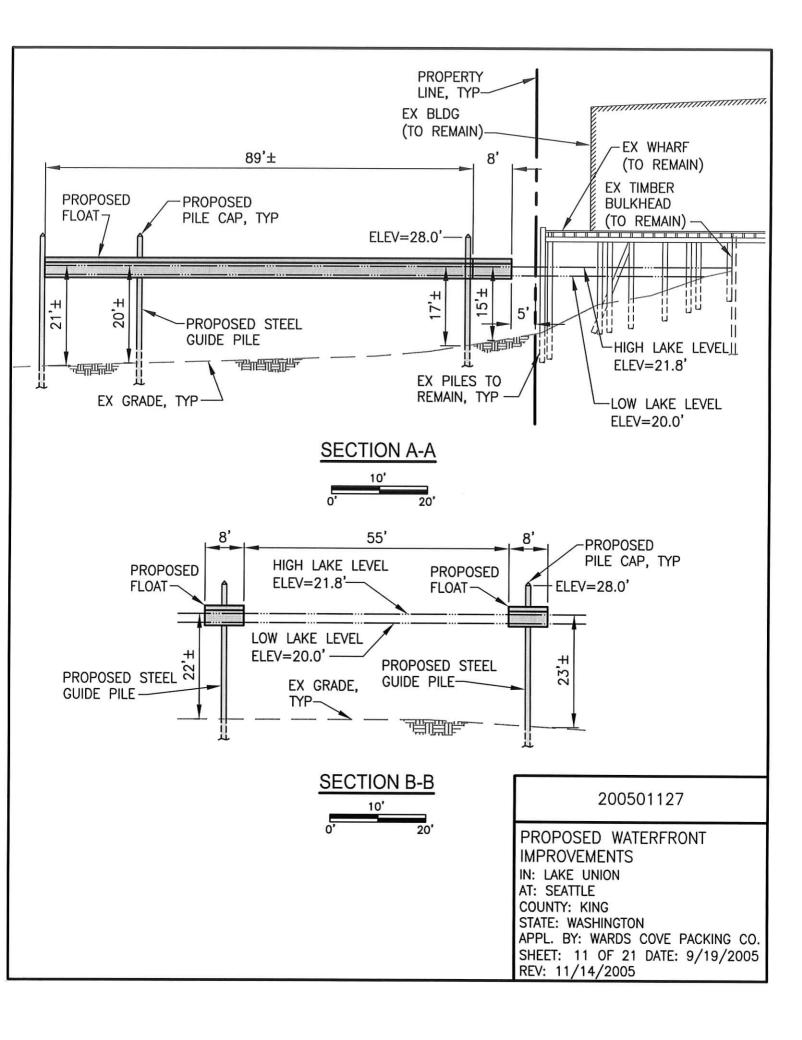
### 200501127

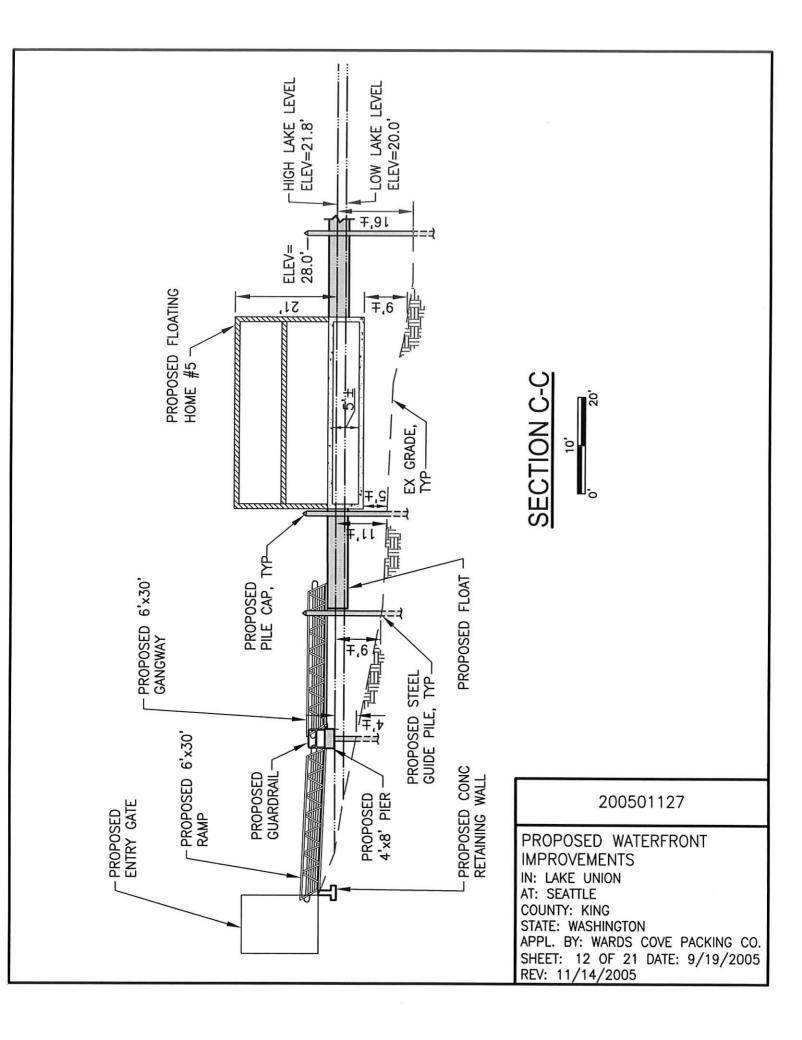
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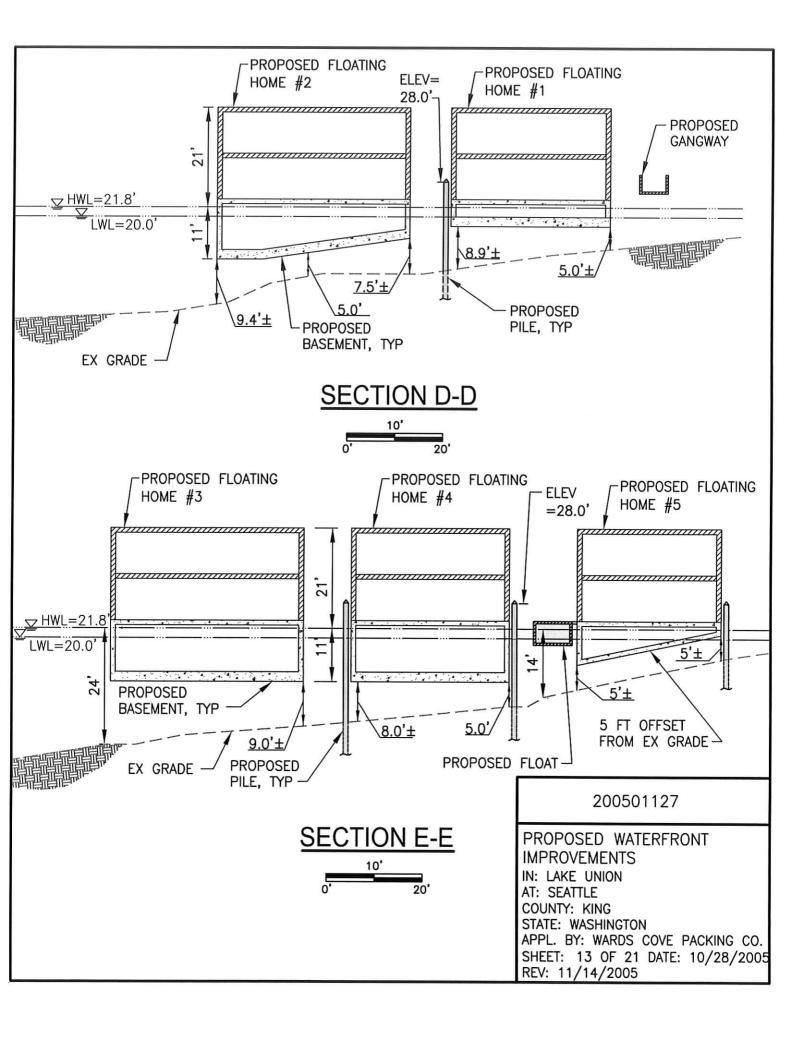
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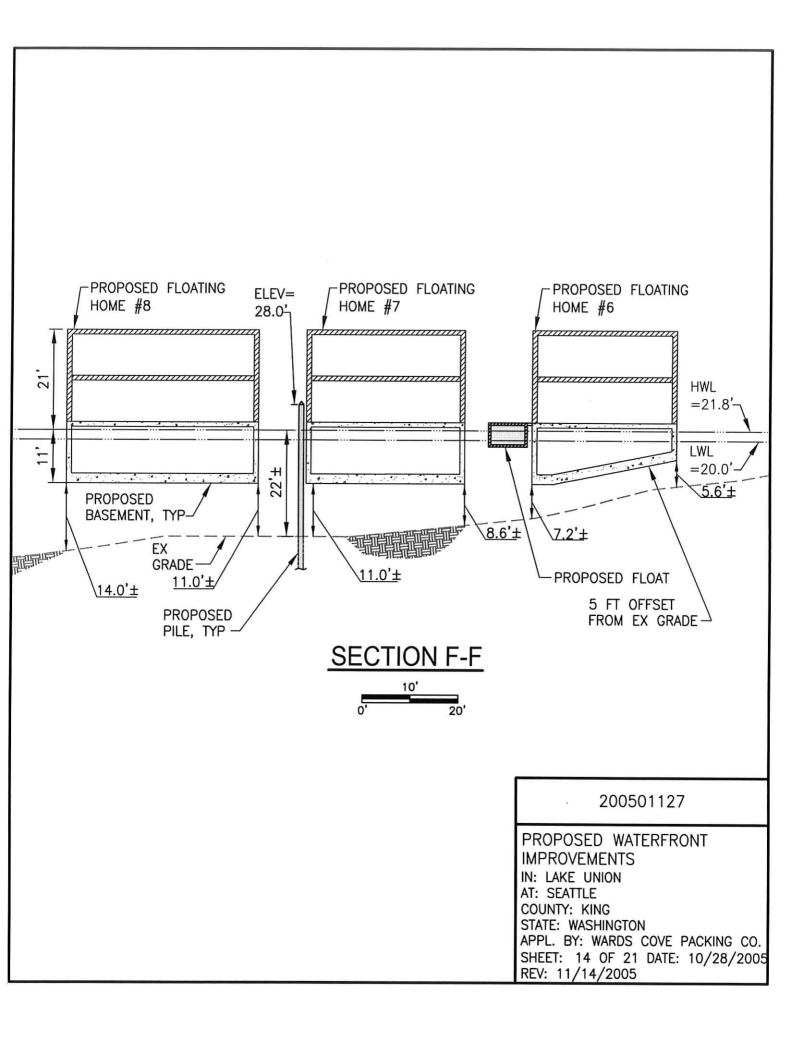
STATE: WASHINGTON

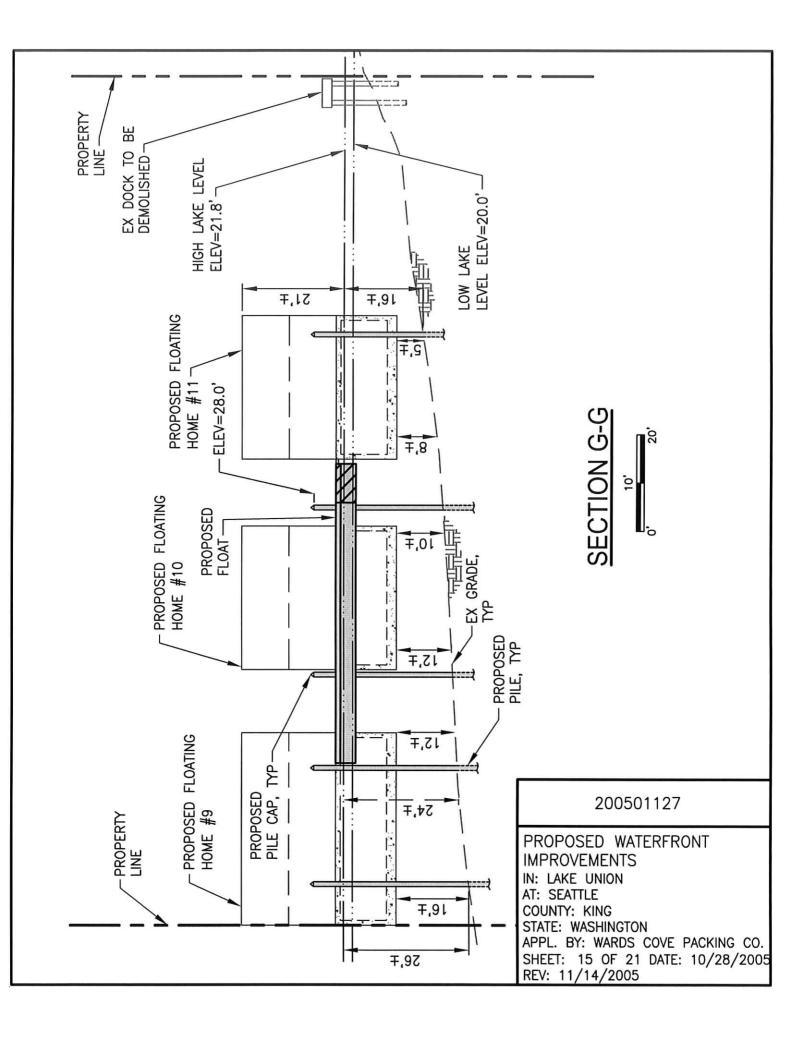
APPL. BY: WARDS COVE PACKING CO. SHEET: 10 OF 21 DATE: 9/19/2005

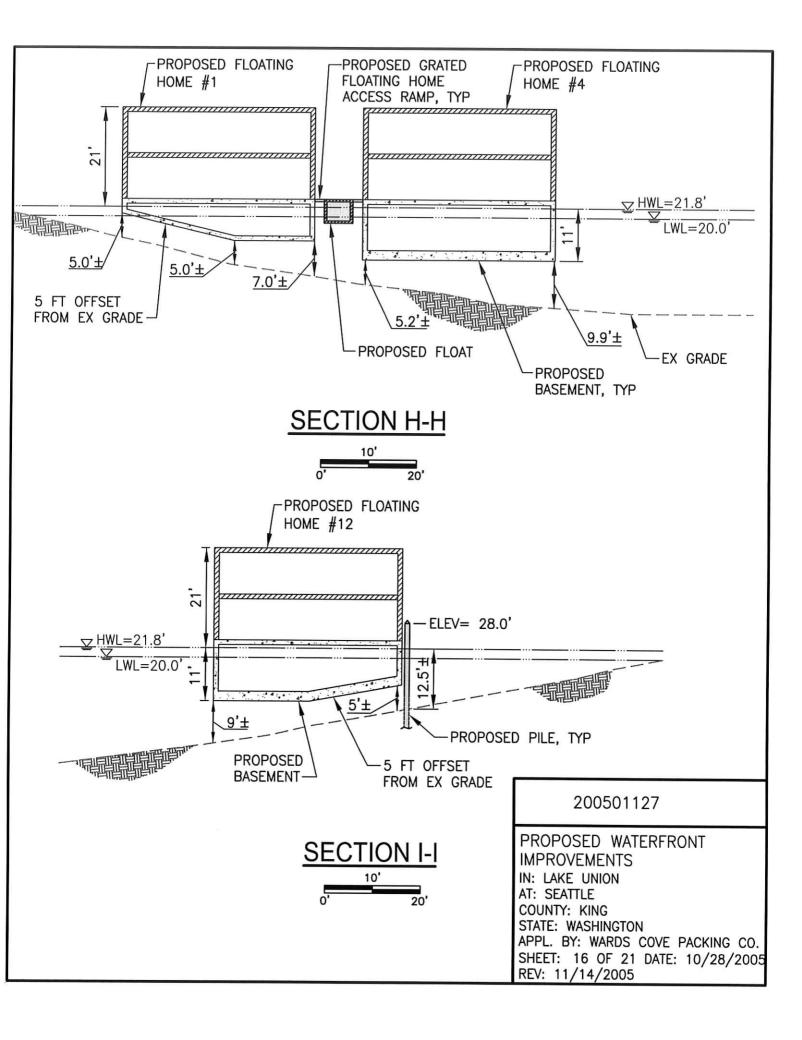


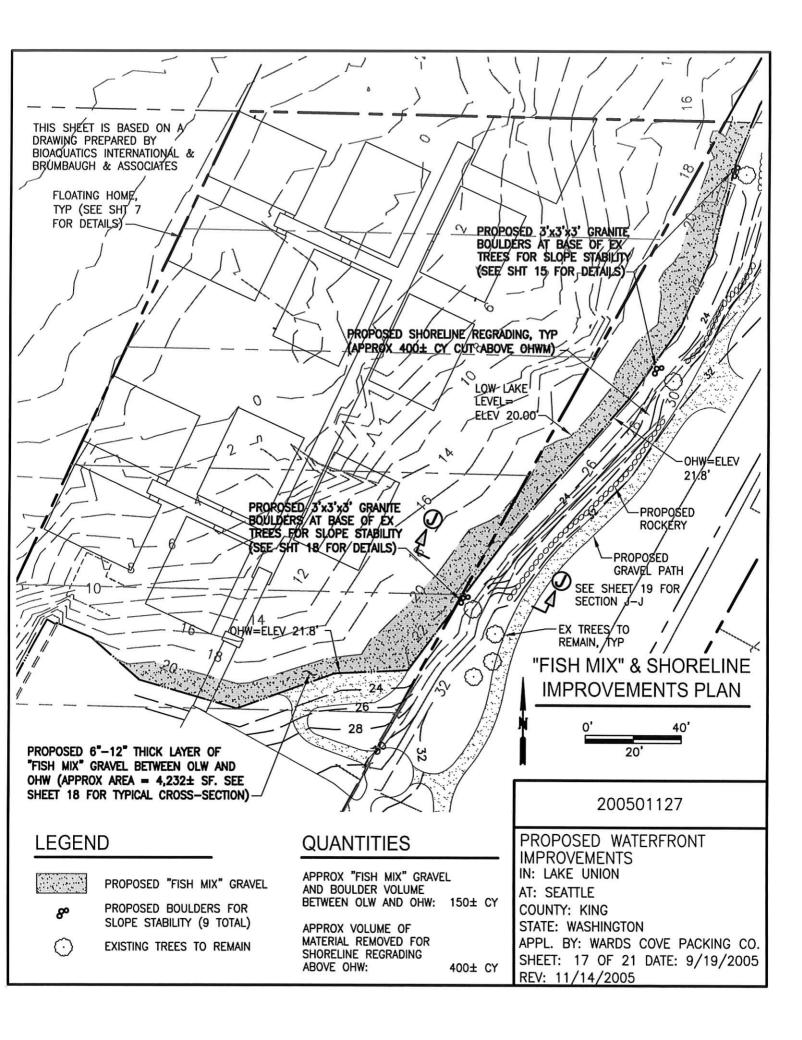


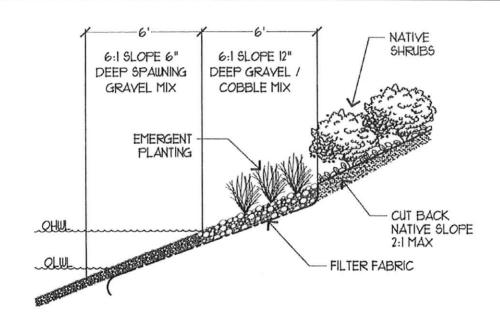




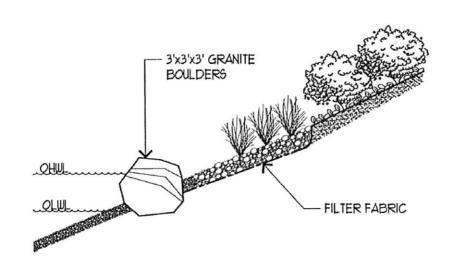




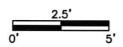




### TYPICAL SHORELINE CROSS SECTION



### TYPICAL SHORELINE WITH BOULDERS CROSS SECTION



### 200501127

PROPOSED WATERFRONT

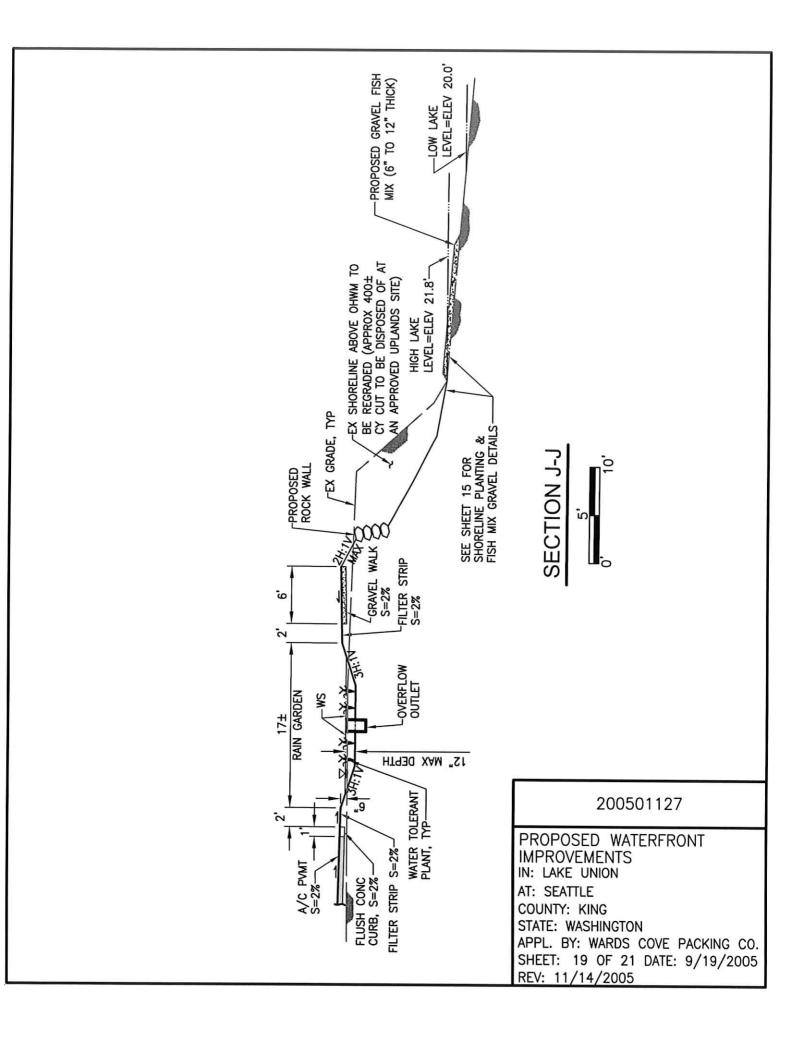
IMPROVEMENTS IN: LAKE UNION AT: SEATTLE

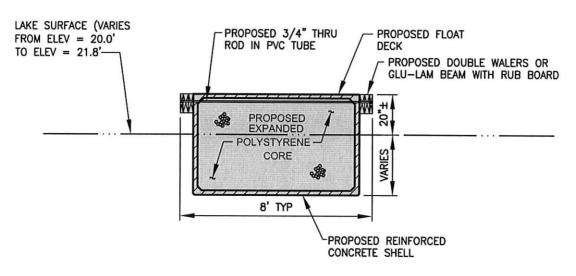
COUNTY: KING STATE: WASHINGTON

APPL. BY: WARDS COVE PACKING CO. SHEET: 18 OF 21 DATE: 9/19/2005

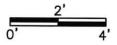
REV: 11/14/2005

SOURCE: MARK BRUMBAUGH AND ASSOCIATES





# TYPICAL FLOAT CROSS SECTION (K-K)



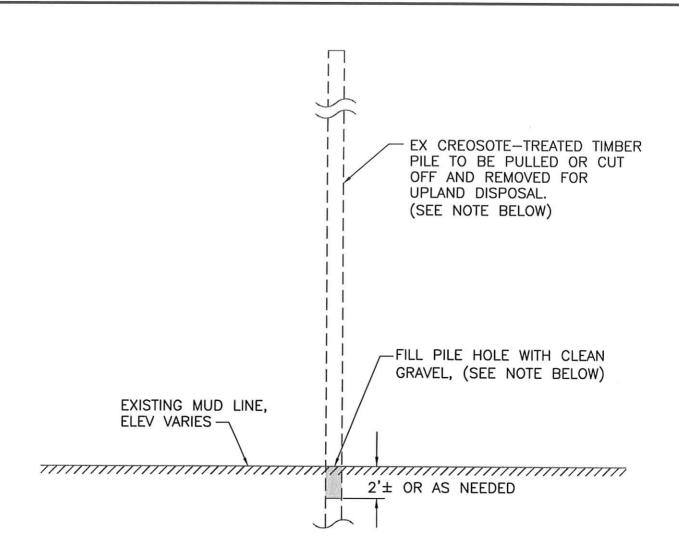
### 200501127

PROPOSED WATERFRONT

IMPROVEMENTS IN: LAKE UNION AT: SEATTLE

COUNTY: KING STATE: WASHINGTON

APPL. BY: WARDS COVE PACKING CO. SHEET: 20 OF 21 DATE: 9/19/2005



### TYPICAL PILE REMOVAL DETAIL

NOT TO SCALE

NOTE: EXISTING TIMBER PILES SHALL BE FULLY EXTRACTED BY DIRECT PULLING WITH A CRANE BARGE OR VIBRATORY HAMMER. HYDRAULIC WATER JETTING WILL NOT BE ALLOWED. REMAINING PILE HOLES SHALL BE FILLED WITH CLEAN SAND. IF AN EXISTING PILE CAN NOT BE EXTRACTED, THE PILE SHALL BE CUT 2—FEET BELOW THE MUDLINE AND CAPPED WITH CLEAN SAND OR COVERED WITH A PLASTIC OR STEEL CAP TO INSURE THAT CHEMICALS FROM THE EXISTING PILE DO NOT LEACH INTO THE ADJACENT SEDIMENTS. EXTRACTED PILES WILL BE CUT INTO FOUR (4) FOOT LENGTHS PRIOR TO DISPOSAL.

### 200501127

PROPOSED WATERFRONT IMPROVEMENTS

IN: LAKE UNION

AT: SEATTLE COUNTY: KING

STATE: WASHINGTON

APPL. BY: WARDS COVE PACKING CO. SHEET: 21 OF 21 DATE: 9/19/2005



## STATE OF WASHINGTON DEPARTMENT OF ECOLOGY

P.O. Box 47600 • Olympia, Washington 98504-7600 (360) 407-6000 • TDD Only (Hearing Impaired) (360) 407-6006

### STATE OF WASHINGTON DEPARTMENT OF ECOLOGY

Notice of Application for
Water Quality Certification
and for
Certification of Consistency with the
Washington Coastal Zone Management Program

Date: January 03, 2006

Notice is herby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 401 of the federal Clean Water Act of 1977 (PL 95-217), to certify that the project described in the U.S. Army Corps of Engineers Public Notice No. 200501127 will comply with the Sections 301, 302, 303, 306, and 307 of the Act, and with applicable provisions of State and Federal water pollution control laws.

Notice is herby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 307© of the Federal Coastal Zone Management Act of 1972 (16 U.S.C. 1451), to certify that the above referenced project will comply with the Washington State Coastal Zone Management Program and that the project will be conducted in a manner consistent with that program.

Any person desiring to present views on the project pertaining to the project on either or both (1) compliance with water pollution control laws or (2) the project's compliance or consistency with the Washington State Coastal Zone Management Program may do so by providing written comments within 30 days of the above publication date to:

Federal Permit Coordinator Department of Ecology SEA Program Post Office Box 47600 Olympia, Washington 98504-7600